

U.S. Application Serial No. 10/749,819

REMARKS

The present amendment is in response to the Official Action dated May 27, 2005, in which the Examiner rejected claims 1-21 as being either anticipated or made obvious by Selby, US Patent No. 4,876,738, either alone or in view of one or more of Purnadi et al., US Patent No. 6,708,031; Frid et al., US Patent No. 6,560,239; and Dent et al., US Patent No. 6,542,716.

However as presently amended, the references relied upon by the Examiner, either separately or taken together, fail to make known the claims of the present invention. More specifically, none of the references alone teach each and every feature of any of the independent claims, and it would not be obvious to combine the teachings of the references as suggested by the Examiner, in an attempt to assert the same would be obvious.

In order to support an obviousness rejection based upon multiple references, the Examiner needs to identify a teaching or suggestion, which needs to come from the prior art, which would lead one skilled in the art to combine the teachings as alleged. In the present instance, the Examiner has failed to identify any such teaching, the only teaching coming from the teachings of the present invention. It is insufficient to piece meal identify individual elements of the claims, existing separately in disparate references, and suggest that the combination would be obvious absent a corresponding teaching to combine. In fact not only is there no teaching or suggestion to combine, the teachings of each of the references are in fact inconsistent with the alleged combination, in so far as such a combination is contrary to one or more teachings in the reference.

For example in attempting to suggest claims 7 and 15 are obvious, each of which have largely been incorporated, respectively, into corresponding base claims 1 and 11 upon which they depend, the Examiner attempts to identify and combine disparate elements from both Selby, '738, and Dent et al., '716. Selby minimally fails to make known or obvious a determination of whether "the new area is associated with a different paging group from the paging group associated with the immediately prior communication area, and if the new area is associated with a different paging group, registering in the new communication area regardless as to whether a registration from a prior presence in the new communication area is still retained" (claim 1), and minimally fails to make known or obvious "a new paging group area detect module adapted for detecting the wireless communication device entering a new paging group area, wherein if the

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wireless communication device enters an area associated with a new paging group, then producing a control signal adapted for initiating a registration by the registration module regardless as to whether registration information from a prior presence in the new area is still retained" (claim 12). Such a deficiency is not overcome through the additional teachings of Dent et al., '716, in so far as, any attempt to combine, relative to a context which would be consistent with the claims, is inconsistent with the individual teachings of each of the references.

For example, there would be no motivation to retain at least the most recent prior registration in connection with moving into a second communication area, which is different than the first communication area, and registering in the second communication area, because to the extent that a communication area is being equated by the examiner to be a paging area, Dent, '716, expressly requires a re-registration, when the mobile detects it switches to listening to a base station in a group with a different paging area (col. 10, lines 8-12). In view of requiring a re-registration each time a different paging area is detected, there would be no need or benefit to maintaining a prior registration.

Still further, to the extent that the Examiner may alternatively be equating the communication area associated with a base station as being equivalent to the claimed communication area, there similarly is no need to maintain multiple distinct registrations as the calling message in Dent, '716, is transmitted from the corresponding group of base stations simultaneously, thereby precluding the need for a separate distinction for purposes of registration (col. 9, line 67 to col. 10, line 2).

Alternatively, Selby, '738, teaches, multiple registrations that are separately simultaneously maintained to allow for movement between the two areas without re-registration (abstract), which is inconsistent with either interpretation of the Examiner's argument, noted above.

For purposes of advancing the prosecution, the applicants call upon the Examiner to clarify the objection, and clearly identify which aspect of the cited reference, the Examiner is attempting to equate with each of the claimed communication areas. Such is believed to be necessary, in order for the applicant to be offered the opportunity to properly respond, to the same, without requiring comments presented in the alternative. It is noted that the Examiner is

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obligated to present any rejections with a sufficient degree of specificity for purposes of giving the applicant a fair opportunity to respond.

Relative to claim 11, the applicants are at odds with the Examiner's assertions, which appears to rely upon official notice in support of the obviousness rejection. The applicants alternatively contend that the acknowledged features which are not taught by Selby, '738, namely discarding any previous stored registrations upon changing power states including powering up and powering down, would not be obvious, especially in the claimed context, and therefore the applicants traverse the official notice and require that the Examiner supply support for the Examiner's assertions.

Relative to the dependent claims not specifically discussed, it is noted that the same are dependent upon either claims 1 and 12, which are allowable for the reasons noted above, and therefore the corresponding dependent claims, would similarly be allowable.

In the event, that there are any remaining unresolved issues precluding the issuance of the present application after consideration of the present response, before issuing a further rejection, the Examiner is respectfully requested to contact the applicants' agent at the below listed number to discuss the same.

Respectfully submitted,

BY: Lawrence J. Chapa
Lawrence J. Chapa
Reg. No. 39,135
Phone (847) 523-0340
Fax. No. (847) 523-2350

Motorola, Inc.
Mobile Devices
Intellectual Property Department
600 North US Highway 45, RM AS437
Libertyville, IL 60048